

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nielsen, et al.

Serial No.: 08/319,411

Group Art Unit: 1631

Filed: October 6, 1994

Examiner: A. Marschel

For: PEPTIDE NUCLEIC ACID CONJUGATES

DECLARATION OF MUTHIAH MANOHARAN UNDER 37 C.F.R. §1.132

I, Muthiah Manoharan, hereby declare that:

1. I am a named inventor of the above-captioned patent application, filed October 6, 1994.

2. I have been informed and I believe that in an Office Action mailed on August 27, 1999, in connection with the above captioned patent application, the Examiner rejected claims 1, 8, 12-15, 18-20, 22-24, 37 and 40 under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,834,607 to Manoharan et al. ("Manoharan et al.") in view of Nielsen et al., Science 254:1497 (1991) ("Nielsen et al.").

3. I also have been informed and I believe that in the same Office Action referred to in paragraph 2 above, the Examiner rejected claims 1, 5, 8-10, 12, 13, 15, 18-20, 22-24, 30-33, 37, 40, 42, 43, 45 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Manoharan et al. taken in view of Nielsen et al., further taken in view of U.S. Patent No. 4,711,955 to Ward et al. ("Ward et al.").

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4. The August 27, 1999 Office Action states that Manoharan et al. describes PNA molecules as described in column 6, lines 61-66. The Office Action further states that Manoharan et al. describes moieties for linkage to such PNA molecules at column 15, lines 26-67, which include cell receptor binding molecules, alkylating agents, porphyrins, and crosslinkers.

5. I am a named co-inventor of the Manoharan et al. patent.

6. I alone conceived the subject matter described in column 15, lines 26-67 of the Manoharan et al. patent.

7. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Muthiah Manoharan

Muthiah Manoharan

Sept 1 2000

Date